

BEFORE THE ARIZONA BOARD OF OSTEOPATHIC EXAMINERS  
IN MEDICINE AND SURGERY

IN THE MATTER OF:

**RONALD BITZA, D.O.**  
Holder of License No. 1370

For the practice of osteopathic medicine in  
the State of Arizona

Case No.: DO-16-0170A

**INTERIM CONSENT AGREEMENT AND  
ORDER FOR PRACTICE RESTRICTION  
AND EVALUATIONS**

**INTERIM CONSENT AGREEMENT**

By mutual agreement and understanding, between the Arizona Board of Osteopathic Examiners in Medicine and Surgery ("Board") and Ronald Bitza, D.O. ("Respondent"), the parties agree to the following interim disposition of this matter.

1. Respondent has read and understands this Interim Consent Agreement and the stipulated Interim Findings of Fact, Interim Conclusions of Law and Interim Order ("Interim Consent Agreement"). Respondent acknowledges that he has the right to consult with legal counsel regarding this matter and has done so or chooses not to do so.

2. By entering into this Interim Consent Agreement, Respondent voluntarily relinquishes any rights to a hearing or judicial review in state or federal court on the interim matters alleged, or to challenge this Interim Consent Agreement in its entirety as entered into with the Board, and waives any other cause of action related thereto or arising from said Interim Consent Agreement.

3. This Interim Consent Agreement is not effective until approved by the Board as evidenced by the signature of its Executive Director.

1           4.     Respondent admits to the Interim Findings of Fact and Interim  
2 Conclusions of Law contained in the Interim Consent Agreement.

3           5.     This Interim Consent Agreement, or any part thereof, may be considered  
4 in any future disciplinary action against Respondent.

5           6.     This Interim Consent Agreement does not constitute a dismissal or  
6 resolution of this or other matters currently pending before the Board, if any, and does  
7 not constitute any waiver, express or implied, of the Board's statutory authority or  
8 jurisdiction.


9           7.     All admissions made by Respondent are solely for interim disposition of  
10 this matter and any subsequent related administrative proceedings or civil litigation  
11 involving the Board and Respondent. Therefore, said admissions by Respondent are  
12 not intended or made for any other use, such as in the context of another state or  
13 federal government regulatory agency proceeding or civil or criminal court proceedings,  
14 in the State of Arizona or any other state or federal court.

15          8.     Upon signing this agreement, and returning this document (or a copy  
16 thereof) to the Board's Executive Director, Respondent may not revoke the acceptance  
17 of the Interim Consent Agreement. Respondent may not make any modifications to the  
18 document. Any modifications to this original document are ineffective and void unless  
19 mutually approved by the parties.

20          9.     This Interim Consent Agreement, once approved and signed, is a public  
21 record that will be publicly disseminated as a formal action of the Board and will be  
22 reported to the National Practitioner Data Bank and to the Board's website.

23          10.    If any part of the Interim Consent Agreement is later declared void or  
24 otherwise unenforceable, the remainder of the Interim Consent Agreement in its entirety  
25 shall remain in force and effect.

1 11. If the Board does not adopt this Interim Consent Agreement, (1)  
2 Respondent will not assert as a defense that the Board's consideration of the Interim  
3 Consent Agreement constitutes bias, prejudice, prejudgment or other similar defense;  
4 and (2) the Board will not consider content of this Interim Consent Agreement as an  
5 admission by Respondent.

6  
7 REVIEWED AND ACCEPTED THIS 18 DAY OF July, 2017.  
8   
9 Ronald Bitza, D.O.

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11  
12 **JURISDICTIONAL STATEMENT**

- 13 1. The Board is empowered, pursuant to A.R.S. § 32-1800, *et seq.* to  
14 regulate the licensing and practice of osteopathic medicine in the State of Arizona.  
15 2. Respondent holds license No. 1370 issued by the Board to practice as an  
16 osteopathic physician.

17 **INTERIM FINDINGS OF FACT**

- 18 1. On August 15, 2016, the Board received information that  
19 Respondent was allegedly having a sexual relationship with a patient, S.N.  
20 2. Records provided indicate patient, S.N., received care from Respondent  
21 until July 21, 2015 when he discharged her for serious mental issues. Upon  
22 discharge, however, Respondent provided S.N. with prescriptions for controlled  
23 substances through December 2015 by predating the prescriptions.  
24 3. Respondent admits he had a sexual relationship with S.N. from March 25, 2016  
25 through early August 2016.  
26  
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AZ OSTEOPATHIC BOARD

1           4.       The Board held an Investigative Hearing on this matter on  
2 June 17, 2017. Respondent appeared personally and on his own behalf.

3           5.       A review of the records in this matter and testimony from Respondent  
4 suggested that Respondent exercised poor professional judgment in his treatment of  
5 S.N., in his consent to a sexual relationship with her and in his prescribing of  
6 controlled substances to her, all of which may affect his ability to safely practice  
7 medicine.  
8

9  
10                               **INTERIM CONCLUSIONS OF LAW**

11           1.       Pursuant to A.R.S. §32-1800, et seq. the Board has subject matter  
12 and personal jurisdiction in this matter. .

13           2.       The conduct and circumstances described in paragraphs 1 through 5  
14 above, if proven, constitute unprofessional conduct as defined in the following  
15 paragraphs of A.R.S. §32-1854 (6), (30), and (42).  
16

17                               **INTERIM ORDER**

18  
19           Pursuant to the authority vested in the Board, and based upon the Interim  
20 Findings of Fact and Interim Conclusions of Law, **IT IS HEREBY ORDERED THAT:**  
21

22           1.       Respondent's license to practice osteopathic medicine, No. 1370, is  
23 placed on a practice restriction that prohibits him from prescribing or dispensing  
24 Schedule 2, 3, 4 and 5 medications, and psychotropic medications. Respondent may  
25 not provide any recommendations for medical marijuana. This restriction shall remain in  
26 place until Respondent appears before the Board and the Board lifts the restriction.  
27

1           2.     Licensee shall undergo a psychiatric evaluation by a psychiatrist who is  
2 board certified and pre-approved by the Executive Director. The evaluation is **to be**  
3 **completed by September 1, 2017**. The Executive Director may provide the evaluating  
4 health care providers and entities with background information and reports to assist in  
5 the evaluations and assessments.

6           3.     By 5:00 p.m. on the 30th day following the effective date of this  
7 document, Respondent shall notify the Board's Executive Director of the date(s)  
8 of the appointment for the psychiatric evaluation and which physician will be  
9 conducting the evaluation. The notification shall be submitted in writing by fax  
10 (480-657-7715) or by email, ([jenna.jones@azdo.gov](mailto:jenna.jones@azdo.gov)).

11           4.     **IT IS FURTHER ORDERED**, Respondent shall undergo a physician  
12 practice assessment by the Physician Assessment and Clinical Education Program  
13 ("PACE"), at the University of San Diego (619-543-6770/[www.paceprogram.ucsd.edu](http://www.paceprogram.ucsd.edu))  
14 or a practice assessment through The Center For Personalized Education for  
15 Physicians ("CPEP") in Denver, Colorado (303-577-3232 or [www.cpepdoc.org](http://www.cpepdoc.org)),  
16 or an equivalent program that has been pre-approved by the Board's Executive  
17 Director, unless otherwise ordered by the Board. The evaluation shall be completed  
18 **no later than December 1, 2017**.  
19

20           4.     Respondent shall cause all reports resulting from the  
21 evaluation/assessment to be delivered directly from the evaluator to the Executive  
22 Director of the Board. The case will be placed back on the Board's agenda for the  
23 next available meeting once the reports has been received.  
24

25           5.     This is an interim order and not a final decision by the Board  
26 regarding the pending investigative file and as such is subject to further consideration  
27

1 and modification by the Board.

2 6. Respondent shall sign such releases as are necessary to ensure that the  
3 report(s) of the evaluation and/or assessment are made directly and confidentially to the  
4 Executive Director of the Board of Osteopathic Examiners.


5 7. **Costs:** Respondent shall bear all costs incurred regarding compliance  
6 with this Order.

7 8. Any violation of this Consent Agreement constitutes unprofessional  
8 conduct and may result in disciplinary action and or referral to the appropriate law  
9 enforcement agency.  
10



12  
13 ISSUED THIS 24<sup>th</sup> DAY OF July, 2017.  
14 STATE OF ARIZONA  
15 BOARD OF OSTEOPATHIC EXAMINERS  
16 IN MEDICINE AND SURGERY

17 By:

18   
19 \_\_\_\_\_  
20 Jenna Jones, Executive Director

21 Original filed this 24<sup>th</sup> day of July, 2017 with the:

22 Arizona Board of Osteopathic Examiners  
23 In Medicine and Surgery  
24 9535 East Doubletree Ranch Road  
25 Scottsdale AZ 85258-5539  
26  
27

Copy of the foregoing sent via regular mail this  
24<sup>th</sup> day of July, 2017 to:

Ronald Bitza, D.O.  
Address of record

Copy of the foregoing sent via regular mail  
this 24<sup>th</sup> day of July, 2017 to:

Jeanne Galvin, AAG  
Office of the Attorney General SGD/LES  
1275 West Washington  
Phoenix AZ 85007